

Article - Health - General

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§21-2A-03.

(a) The Department shall implement the Program, subject to the availability of funds.

(b) The Secretary may:

(1) Assign responsibility for the operation of the Program to any unit in the Department;

(2) Contract with any qualified person for the efficient and economical operation of the Program; and

(3) Identify and publish a list of monitored prescription drugs that have a low potential for abuse by individuals.

(c) Except as provided in subsection (d) of this section, each dispenser shall submit prescription monitoring data to the Program by electronic means, in accordance with regulations adopted by the Secretary.

(d) The Secretary, for good cause shown, may authorize a dispenser to submit prescription monitoring data by an alternative form of submission.

(e) The Secretary, in consultation with the Maryland Health Care Commission and the Board, shall:

(1) Determine the appropriate technology to support the operation of the Program; and

(2) Educate dispensers, prescribers, pharmacists, prescriber delegates, pharmacist delegates, and consumers about the purpose and operation of the Program.

(f) (1) The Secretary shall grant a waiver to a pharmacy that dispenses medications to an inpatient hospice from reporting to the Program prescription monitoring data for hospice inpatients if:

(i) The pharmacy demonstrates how it will distinguish hospice inpatients from other consumers receiving medications from the pharmacy; and

(ii) The pharmacy agrees that it will be subject to onsite, unannounced inspections by the Department to verify its reporting of the prescription data of consumers who are not hospice inpatients.

(2) A waiver granted under this subsection may remain in effect for up to 2 years.

(3) The Secretary may establish an application process for a pharmacy to apply for a waiver under this subsection.

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